

Toledo Plate Glass OH

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

EPA Region 5 Records Ctr.



249282

DATE:

MAY 15 1992

SUBJECT:

ACTION MEMORANDUM - Request for an Emergency Removal Action at the Toledo Plate and Window Glass Site, Toledo, Lucas County, Ohio (Site ID #RA)

FROM:

Steven L. Remminger, On-Scene Coordinator  
Emergency and Enforcement Response Branch - Section 1

TO:

David A. Ullrich, Director  
Waste Management Division

THRU:

Norman R. Niedergang, Associate Division Director  
Office of Superfund

I. PURPOSE

The purpose of this memorandum is to confirm verbal approval to expend \$50,000 by Mr. Thomas F. Geishecker, Acting Branch Chief, on April 29, 1992, and a verbal increase to a \$100,000 ceiling on May 8, 1992, by Mr. Norman R. Niedergang, and to request and document approval to expend an additional \$589,800 for a total of \$689,800 in order to mitigate threats to the public health and the environment posed by the Toledo Plate and Window Glass site in Toledo, Ohio. The time-critical removal action proposed will mitigate threats to public health, welfare, and the environment posed by the presence of uncontrolled hazardous materials located at the site. Proposed removal actions include assessment of the chemical hazards on the site, securing the site to prevent public access, stabilization of drummed hazardous waste and friable asbestos, an extent contamination study of the basement water, removal and disposal of hazardous materials on the site.

This site is not on the National Priorities List, does not set any precedents, and is not nationally significant.

II. SITE CONDITIONS AND BACKGROUND

The Toledo Plate and Glass site consists of 1.9 acres of land with an 80,000-square-foot building located at 1042 Utica Street, Toledo, Ohio. The brick building consists of two stories plus a basement. The site is surrounded by light industry, businesses, and residences. The building was constructed in approximately 1905; Toledo Plate and Window Glass operated in the facility until May 1991 manufacturing mirrors. The Toledo Plate and Window Glass facility has been under Chapter 7 Bankruptcy since May 1991, and the equipment used at the facility was liquidated by Fifth Third Bank of Toledo. The facility has been out of operation at least since May 1991.

In December 1991, the Toledo Hazardous Materials Team responded to the Toledo Plate Glass facility to investigate a report of leaking drums. At the time, an abandoned semi-trailer with 55 gallon drums containing solvents was discovered, along with hazardous materials inside the facility.

On January 30, 1992, Mike Gerber of the Ohio Environmental Protection Agency (OEPA), Division of Emergency Response, and the Toledo Fire Department responded to investigate the Toledo Plate and Window Glass facility with respect to a report of leaking 55-gallon drums. On January 30, 1992, OEPA Gerber noted abandoned drums in the facility and in a semi-trailer on the adjacent lot. Noted abandoned chemicals on site included nitric acid and chloroform as well as unknown chemicals.

On February 19, 1992, the OEPA Division of Hazardous Waste Management conducted an inspection of the Toledo Plate and Window Glass facility to assess abandoned drums containing unknown waste. During the OEPA investigation, a total of 235 abandoned drums and containers were noted in the facility and semi-trailer.

On April 17, 1992, OEPA Division of Emergency Response requested assistance from the United States Environmental Protection Agency (U.S. EPA) Region V, Emergency and Enforcement Response Branch, Response Section 1. On April 22, 1992, U.S. EPA On-Scene Coordinator (OSC) Renninger and U.S. EPA Technical Assistance Team (TAT) conducted a site investigation at the Toledo Plate and Window Glass site. During the investigation, the OSC noted that approximately 250 drums and containers were distributed throughout the 80,000-square-foot facility including main floor, basement, and semi-trailer. Drums were noted open and/or spilled with unrestricted access to the facility. The OSC noted incompatible drums in proximity within the facility, including hydrochloric acid and caustic solution. Also documented were drum groups within the basement which contained approximately 12 inches of flooded water. Drums documented to contain acids and flammable liquids were within the flooded basement water. During the investigation, the OSC noted extensive friable asbestos in the facility and around drum groups. Windows and doors in these areas were noted to be in poor condition or missing entirely. In addition, the OSC noted a semi-trailer on the adjacent Toledo Plate and Window Glass property that contained drums of flammable liquids. The trailer was in poor, deteriorated condition and was unable to be locked.

During the April 22, 1992, investigation, the OSC noted the following wastestreams: laboratory grade chemicals, corrosives, flammable liquids, and friable asbestos. Label information from numerous drums indicated potential additional wastestreams, including: chloroform, paint waste, and silver waste. Based on air monitoring results, the TAT collected six samples from observed drum groups. All samples collected during the April 22, 1992, U.S. EPA site investigation were laboratory analyzed and indicated drums to contain characteristic hazardous waste by virtue of ignitability or corrosivity.

Mike Gerber of the OEPA Division of Emergency Response was informed of the proposed actions outlined in this memo.

III. THREATS TO PUBLIC HEALTH OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

The conditions at the Toledo Plate and Window Glass site, as documented, meet the criteria for a removal action as stated in the National Contingency Plan (NCP), Section 300.415(b)(2), specifically:

- 1) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants;

The Toledo Plate and Window Glass site is located in a mixed industrial and commercial area. The nearest businesses are Edelstein & Son Recycling, Tiger Products, and Star Elling Cleaning. These businesses are located within 75 feet from the Toledo Plate and Window Glass site. Hazardous substances identified in the April 22, 1992, U.S. EPA site investigation include corrosives, flammable liquids, and friable asbestos. The Toledo Plate and Window Glass site, with unrestricted access, has a history of public access and vandalism since May 1991. This leads to a threat to human safety through direct contact. This situation is a threat to public health and the environment.

- 2) Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers that may pose a threat of release;

During the April 22, 1992, U.S. EPA site investigation, the OSC noted abandoned drums containing corrosives and flammable liquids throughout the 80,000-square-foot facility. Drums observed in the adjacent semi-trailer were documented to contain characteristic ignitable waste in drums. Drums within the semi-trailer pose a threat of release due to potential structural failure, which was noted to be in poor, deteriorated condition. The basement of the Toledo Plate and Window Glass facility is currently flooded with 12 inches of water. Drums containing corrosives and ignitable wastes were observed in the flooded basement area. Drums in contact with water are susceptible to failure, potentially contaminating the entire basement and connecting sewer system.

- 3) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;

Northwestern Ohio has extremely wet fall and spring seasons and extreme temperature fluctuations in summer and winter. Heavy rains and groundwater will continue to accumulate and flood the basement area thereby increasing the threat of hazardous waste release and further contamination to the basement area. Extreme temperature fluctuations may cause additional damage to drums containing ignitable waste within the semi-trailer.

4) Threat of fire or explosion;

The Toledo Plate Glass site contains approximately 250 drums, many of which have been documented to contain ignitable waste. The OSC observed numerous drums and small containers labeled as flammable. Therefore, the potential for a fire/explosion exists and, if such an event occurs, contaminants could become airborne and may affect the nearby population.

IV. ENDANGERMENT DETERMINATION

Given the site conditions with unrestricted access and improperly stored drums, the nature of the hazardous substances on site - ignitable wastes, and the potential exposure pathways to nearby populations in the adjoining industrial/commercial areas described in Sections II and III above, actual or threatened releases of hazardous substances from this site, if not addressed by implementing the response actions selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

The OSC proposes to conduct the following removal actions at the Toledo Plate Glass site:

- a) Develop and implement a site Health and Safety Plan.
- b) Secure site.
- c) Identify, inventory, and characterize hazardous substances on site.
- d) Stabilize abandoned drums.
- e) Stabilize friable asbestos as necessary to stabilize drums.
- f) Complete the off-site disposal of all hazardous substances.

The response actions described in this memorandum directly address actual or threatened releases of hazardous substances, pollutants, or contaminants at the site which may pose an imminent and substantial endangerment to public health and safety and to the environment. These response actions do not impose a burden on affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

All applicable or relevant and appropriate requirements (ARARs) of Federal law will be complied with to the extent practicable. A letter was been sent on May 7, 1992, to the OEPA requesting that it identify State ARARs. Any State ARARs identified in a timely manner for this removal action will be complied with to the extent practicable.

The OSC has begun planning for provision of post-removal site control, consistent with provisions of Section 300.415(k) of the NCP.

The estimated costs to complete the above activities are summarized below. These activities will require an estimated 40 on-site working days to complete. Detailed cleanup contractor costs are presented in Attachment 1.

#### REMOVAL PROJECT CEILING ESTIMATE

##### EXTRAMURAL COSTS:

	<u>Proposed Ceiling</u>
Cleanup Contractor Costs	\$400,000
Contingency (15%)	\$60,000
Subtotal	\$460,000
Total TAT, including multiplier	\$80,000
Extramural Subtotal	\$540,000
Extramural Contingency (15%)	\$81,000
TOTAL, EXTRAMURAL COSTS	\$621,000

##### INTRAMURAL COSTS:

U.S. EPA Direct Costs \$30 x (800 Regional hours plus 80 HQ hours)	\$26,400
U.S. EPA Indirect Costs \$53 x 800 Regional hours	\$42,400
TOTAL, INTRAMURAL COSTS	\$68,800
TOTAL REMOVAL PROJECT CEILING ESTIMATE	\$689,800

##### VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Delayed action will increase the potential of the ignitable, hazardous materials which are threatening public health, to ignite and threaten the adjacent population and the environment.

##### VII. OUTSTANDING POLICY ISSUES

None

VIII. ENFORCEMENT

For administrative purposes, information concerning the enforcement strategy for this site is contained in an Enforcement Confidential addendum.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Toledo Glass site in Toledo, Ohio, developed in accordance with CERCLA as amended, and is not inconsistent with the NCP. This decision is based on the Administrative Record for the site. Conditions at the site meet the NCP section 300.415(b)(2) criteria for a removal and I recommend your approval of the proposed removal action. The total project ceiling, if approved, will be \$689,800. Of this, an estimated \$541,000 may be used for cleanup contractor costs.

APPROVE

David A. Allert  
Director, Waste Management Division

DATE

5/15/92

DISAPPROVE

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Director, Waste Management Division

DATE

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Enforcement Addendum

Attachments

1. Detailed Cleanup Contractor Estimate
2. Administrative Record Index

cc: Terri Johnson, OS-210  
Dan Osterfeld, Ohio Environmental Protection Agency  
Sheila Huff, U.S. Department of Interior

bcc: N. Ellen-Zusman, CS-3T  
A. Baumann, HS-6J  
R. Bowden, HSE-5J  
M. O'Mara, HSE-5J  
R. Powers/R. Buckley, HSE1-G  
C. Graszer, HSE-5J  
O. Warnsley, MC-10J  
T. Lesser, P-19J  
F. Myers, M-19J  
Contracting Officer, MC-10J  
S. Renninger, HSE1-G  
J. El-Zein, HSE1-G  
R. Dollhopf, HSE1-G  
EERB Read File  
EERB Delivery Order File  
EERB Site File

ENFORCEMENT CONFIDENTIAL ADDENDUM

Redacted-information not relevant to the selection of the removal action.



ATTACHMENT 1

DETAILED CLEANUP CONTRACTOR ESTIMATE  
TOLEDO PLATE GLASS SITE  
TOLEDO, OHIO  
MAY 1992

Personnel and Equipment	\$210,000
Materials	20,000
Analysis	30,000
Transportation	15,000
Disposal	125,000
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TOTAL	\$400,000

ATTACHMENT 2  
ADMINISTRATIVE RECORD  
FOR  
TOLEDO PLATE GLASS SITE

TOLEDO, OHIO

April 30, 1992

DATE	AUTHOR	RECIPIENT	TITLE/DESCRIPTION	PAGES
04/07/92	Weaver, C., Ohio EPA	Bach, P., Fifth-Third Bank	Letter Regarding Site Inspection and Violations	3
04/16/92	Bauer, R.	Weaver, C., Ohio EPA	Response to 4/7/92 Letter and Unwilling- ness to Comply	1
00/00/00	E & E	Heaton, D., U.S. EPA	Site Inspection (Pending)	
00/00/00	Renninger, S., U.S. EPA		Action Memorandum (Pending)	